

**Declaration and Power of Attorney for Patent Application**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled \_\_\_\_\_

POSITION DETECTING DEVICE AND POSITION DETECTING METHOD  
(Attorney Docket No. \_\_\_\_\_), the specification of which

(check [ X ] is attached hereto.  
one)

[ ] was filed, with my authority, on \_\_\_\_\_  
as Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

And I hereby appoint DAVID P. ROBERTS, Reg. No. 23,032; RANDY A. GREGORY, Reg. No. 30,386; JAMES L. PRICE, Reg. No. 27,376; MARK S. MATKIN, Reg. No. 32,268; DEEPAK MALHOTRA, Reg. No. 33,560; MARK W. HENDRICKSEN, Reg. No. 32,356; DAVID G. LATWESSEN; Reg. No. 38,533; GEORGE G. GRIGEL, Reg. No. 31,166; KEITH D. GRZELAK, Reg. No. 37,144; JAMES D. SHAURETTE, Reg. No. 39,833; FREDERICK M. FLIEGEL, Reg. No. 36,138; DONALD B. KENADY, Reg. No. 40,045; JAMES E. LAKE, Reg. No. 44,854; and BERNARD BERMAN, Reg. No. 37,279; all of Wells, St. John, Roberts, Gregory & Matkin, P.S.; 601 West First Avenue, Suite 1300, Spokane, Washington 99201-3828, Telephone (509) 624-4276, and each or any of them, my attorneys or agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

ADDRESS ALL COMMUNICATIONS IN OR PERTAINING TO THIS APPLICATION TO:

George G. Grigel  
WELLS, ST. JOHN, ROBERTS,  
GREGORY & MATKIN, P.S.  
601 West First Avenue, Suite 1300  
Spokane, WA 99201-3828

EL844049066

### Foreign Application(s)

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

			Priority Claimed	
<u>2000-253026</u> (Number)	<u>Japan</u> (Country)	<u>August 23, 2000</u> (Filing Date)	<input checked="" type="radio"/> Yes	No
<u>                    </u> (Number)	<u>                    </u> (Country)	<u>                    </u> (Filing Date)	Yes	No

### U.S. Provisional Application(s)

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

<u>/</u> (Provisional Application No.)	<u>                                    </u> (Filing Date)
<u>/</u> (Provisional Application No.)	<u>                                    </u> (Filing Date)

### U.S. Patent Application(s)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>                                    </u> (Application Serial No.)	<u>                                    </u> (Filing Date)	<u>                                    </u> (Status) (patented, pending, or abandoned)
<u>                                    </u> (Application Serial No.)	<u>                                    </u> (Filing Date)	<u>                                    </u> (Status) (patented, pending, or abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned to this Declaration and Power of Attorney hereby authorizes the U.S. attorneys named herein to accept and follow instructions from Ishihara & Ishihara, 4F Miyamasuzaka ST Building, 8-6, Shibuya 1-chome, Shibuya-ku, Tokyo 150-0002, Japan

[Firm Name and Address]

as to any actions to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys will be so notified by the undersigned.

Full name of sole or first joint inventor Yasuhiro FUKUZAKI

Inventor's signature *Yasuhiro Fukuzaki* August 7, 2001  
Date

Residence Saitama, Japan

Citizenship Japanese National

Post Office Address c/o NEWCOM INC., 547-17, Oaza-nokuki, Kuki-shi, Saitama  
346-0002, Japan

\*\*\*\*\*

09532200.001.01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor ..... Yasuhiro FUKUZAKI  
Assignee ..... SAEILO JAPAN, INC.  
Attorney's Docket No. ....  
Title: POSITION DETECTING DEVICE AND POSITION DETECTING METHOD

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: SAEILO JAPAN, INC.

ADDRESS OF CONCERN: 320-5, Kotehashi-cho, Hanamigawa-ku, Chiba-shi, Chiba 262-0013, Japan

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled \_\_\_\_\_

Position Detecting Device and Position Detecting Method

by inventor(s) Yasuhiro FUKUZAKI

described in the specification filed herewith.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*Note: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME:

ADDRESS:

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

NAME:

ADDRESS:

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing Hideyuki OSHIMA

Title of Person Other Than Owner President

Address of Person Signing 320-5, Kotehashi-cho, Hanamigawa-ku, Chiba-shi, Chiba 262-0013, Japan

Signature Hideyuki Oshima

Date 23 JUL 2001

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor ..... Yasuhiro FUKUZAKI  
 Attorney's Docket No. ....  
 Title: POSITION DETECTING DEVICE AND POSITION DETECTING METHOD

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
 (37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9 (c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled \_\_\_\_\_

POSITION DETECTING DEVICE AND POSITION DETECTING METHOD  
 described in the specification filed herewith.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(C) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern, or organization  
☒ persons, concerns or organizations listed below

NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME: SAEILO JAPAN, INC.

ADDRESS: 320-5, Kotehashi-cho, Hanamigawa-ku, Chiba-shi, Chiba 262-0013, Japan

☐ Individual      ☐ Small Business Concern      ☐ Nonprofit Organization

NAME:

ADDRESS:

☐ Individual      ☐ Small Business Concern      ☐ Nonprofit Organization


NAME:

ADDRESS:

☐ Individual      ☐ Small Business Concern      ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

<u>Yasuhiro FUKUZAKI</u>	_____	_____
Name of Inventor	Name of Inventor	Name of Inventor
	_____	_____
Signature of Inventor	Signature of Inventor	Signature of Inventor
<u>July 23, 2001</u>	_____	_____
Date	Date	Date